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FM AMEMBASSY NEW DELHI

TO RUEHC/SECSTATE WASHDC IMMEDIATE 7787

INFO RUEHC/DEPT OF LABOR WASHDC IMMEDIATE

RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE

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RUCPDOG/DEPT OF COMMERCE WASHDC

UNCLAS SECTION 01 OF 02 NEW DELHI 001770

SENSITIVE

SIPDIS

DRL/ILCSR FOR MARK MITTELHAUSER, DOL/ILAB FOR RACHEL RIGBY,  
G/TIP FOR STEVE STEINER, STATE PLEASE PASS TO USTR

E.O. 12958: N/A

TAGS: [ELAB](#) [ETRD](#) [PHUM](#) [SOCI](#) [EIND](#) [IN](#)

SUBJECT: POST COMMENTS ON DEPARTMENT OF LABOR'S UPDATE OF  
EXECUTIVE ORDER 13126 LIST

REF: SECSTATE 80911

¶1. (U) Summary. Embassy New Delhi welcomes the opportunity to comment on the Department of Labor's (DOL) draft list of goods that DOL has reason to believe are produced by forced child labor. Post appreciates DOL's openness to post's comments on previous drafts and DOL's decision to remove the gold jewelry and silk fabric industries from the current list. Post has not seen credible evidence of the use of forced child labor in the stones, bricks, garment, hybrid cottonseed, and rice industries. End Summary.

#### PREVALENCE OF CHILD AND FORCED LABOR

¶2. (U) Post agrees there is evidence of child labor in the following sectors: bidis, brassware, bricks, carpets, embroidered textiles (zari), fireworks, footwear, glass bangles, leather goods/accessories, locks, matches, rice, silk fabric, soccer balls, and stones. Post agrees there is evidence of forced labor in the following sectors: bricks, embroidered textiles (zari), rice, and stones.

¶3. (U) Post appreciates DOL's considerations of post's previous communications regarding forced child labor the gold jewelry and silk fabric sectors of the Indian economy. Post has not seen credible reports indicating forced child labor in the hybrid cottonseed, stones, bricks, carpets, garments, and rice industries. Post concurs with DOL's analysis of the current presence of forced child labor in the embroidered textiles sector.

#### HYBRID COTTONSEED

¶4. (U) Post has not seen any reports indicating forced labor in the hybrid cottonseed industry, though independent NGOs have compiled reports indicating the use of child labor in this industry. Most of the sources for DOL's draft list of goods appear to use data from one researcher's study of this industry. The Venkateswarlu report mentions child labor through an advance payment system for securing the use of children in the

industry  
but his report does not categorically mention the use of  
forced  
labor. Thus, we do not believe there is enough evidence of  
the  
use of forced labor in the hybrid cottonseed industry to  
include  
this sector on DOL's list of goods.

#### STONES AND BRICKS

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15. (U) While it is largely accepted that children  
do work in stone quarries and brick kilns, the extent of  
forced  
child labor in this sector is unknown. Post agrees that  
there  
is forced labor by adults in this sector, but is not aware of  
any recent studies to indicate the presence of forced child  
labor in these sectors. The sources mentioned by DOL are  
dated and many of them do not specifically state the presence  
of forced child labor in these industries. Post, therefore,  
does not believe that enough credible evidence exists to  
include this  
sector on the list.

#### CARPETS

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16. (U) Post is not aware of any recent study or data to  
suggest that  
forced child labor is widely prevalent in the carpet sector.  
While

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it is known that child labor is involved in the carpet  
industry, there is not enough documentary evidence to suggest  
that forced child labor is present in significant numbers.  
We  
would strongly suggest that this sector be not included in  
the list.

#### GARMENTS

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17. (U) Apart from one incident reported by Embassy New Delhi  
in  
June 2008, post has not come across the use of forced child  
labor  
in the garment sector. Again the use of child labor in this  
sector  
is prevalent, but we are unsure about the use of forced child  
labor  
and hence suggest that this segment should not be put on the  
list.

#### RICE

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18. (U) We are aware of reports indicating the use of forced  
labor (adults)  
in this sector. Post, however, is not aware of any recent,  
credible  
studies on the use of forced child labor in this sector. The  
primary  
source listed in the bibliography appears to be a book on  
bonded labor  
in the brick kiln industry and not rice. Furthermore, that  
book was  
published in 2005 and includes data that is even less  
current.  
Post, therefore, does not agree with the inclusion of this  
sector on  
the list.

#### EMBROIDERED TEXTILES

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19. (U) Post agrees that in the past couple of years many  
incidents of  
use of forced child labor in this sector has come to light

and  
hence concurs with putting this sector on the list.

COMMENT: INDIA IS SINCERELY TACKLING CHILD LABOR ISSUE

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¶10. (U) While the problem of child labor in India is widespread, post has found it very difficult to unearth credible reports of the use of forced child labor in various sectors. While the case could be made that forced labor was rampant in the 1970s and 1980s, over the past two decades and more the Government of India has embarked on a series of programs to tackle the problem of both forced labor and child labor, including projects marked by close collaboration with DOL. Coupled with an active and vigilant press and NGOs, occurrences of forced labor/forced child labor have significantly reduced in recent years. Post is concerned about the impact of this list's release on the trust that has developed between India and the United States while working bilaterally to combat child labor, which has produced very solid, practical results. Post recommends that DOL remove the hybrid cottonseed, sticks, bricks, garments, cotton and rice sectors from their list of goods believed have been produced with forced child labor, as we do not feel there is credible evidence of such practices in these sectors.  
END COMMENT.  
ROEMER